

**SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
JULY 10, 2003**

**BUREAU Of LAND AND WASTE MANAGEMENT**

**Hazardous Waste Enforcement**

- 1)    Order Type and Number:                      Consent Order 03-13-HW  
      Order Date:                                      May 19, 2003  
      Responsible Party:                           **Quala Systems, Inc.**  
      Location/Mailing Address:                5215 College Road  
   Fairforest, SC 29336  
  
      County:    Spartanburg  
      Previous Orders:                                99-03-HW (\$5,800)  
   95-12-HW (\$5,500)  
  
      Permit Number:                                SCD 987 595 527  
      Violations Cited:                             South Carolina Hazardous Waste  
   Management Act §44-56-130(2) and South Carolina Hazardous Waste  
   Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.11

Summary:    Quala Systems, Inc. (Respondent) performs commercial cleaning and decontamination of tank trailers, tanks containers and portable mini-bulk storage tanks (totes). The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination.

Action:    The Respondent has agreed to: now and in the future, ensure that an accurate hazardous waste determination is made on all solid wastes; and pay a civil penalty in the amount of four thousand, five hundred dollars (**\$4,500.00**). The civil penalty will be paid in one payment.

- 2)    Order Type and Number:                      Consent Order 03-14-HW  
      Order Date:                                      May 16, 2003  
      Responsible Party:                           **Harrell Industries, Inc.**  
   **James Pugh**  
      Location/Mailing Address:                2495 Commerce Drive  
   Rock Hill, South Carolina 29730  
  
      County:    York  
      Previous Orders:                                N/A  
      Permit Number:                                SCD 982 077 943  
      Violations Cited:                             South Carolina Hazardous Waste  
   Management Act §44-56-130(2) and South Carolina Hazardous Waste  
   Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.34(a)(2),

R.61-79.265.173(d), R.61-79.265.173(c), R.61-79.265.174, R.61-79.265.175(a), R.61-79.265.173(a), R.61-79.262.11, R.61-79.262.21(a)(6), R.61-79.265.52(e), R.61-79.265.15(d), R.61-79.265.191(a), and, R.61-79.265.173(b)(1).

Summary: Harrell Industries, Inc. (Respondent) is a manufacturer of specialty chemical products. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to have clearly marked and visible for inspection on each container the date upon which each period of accumulation began; failure to appropriately label each container with its EPA Hazardous Waste Number; failure to permanently label and legibly mark each container with the following or equivalent statement: "Hazardous Waste – federal laws prohibit improper disposal;" failure to inspect areas where containers are stored, at least weekly; failure to provide container storage areas with a secondary containment system; failure to keep containers holding hazardous waste closed during storage, except when necessary to add or remove waste; failure to make an accurate hazardous waste determination; failure to complete manifests with the total quantity of each hazardous waste in units of weight; failure to include in its contingency plan a list of all emergency equipment at the facility including the location and a physical description of each item on the list and a brief outline of its capabilities; failure to record the date and time of each inspection in an inspection log; failure to obtain and keep on file a written assessment reviewed and certified by an independent, qualified, registered professional engineer that attests to the tank system's integrity; and, failure to provide the tank system with a secondary containment system.

Action: The Respondent has agreed to: ensure that all containers holding hazardous wastes are managed in accordance with R.61-79.262 Subpart C – Pre-transport Requirements and R.61-79.265 Subpart I – Use and Management of Containers; ensure that weekly inspections are performed on all containers in storage and that all inspection logs are dated; ensure that an accurate hazardous waste determination is made on solid waste; ensure that manifests include a unit of weight for the total quantity; submit to the Department documentation that the contingency plan has been updated to include the location, physical description, and capabilities of all onsite emergency equipment; submit to the Department documentation that the tank system meets the requirements of R.61-79.265 Subpart J – Tank Systems; and, pay a civil penalty in the amount of twenty-five thousand dollars **(\$25,000.00)**

3)	<u>Order Type and Number:</u>	Consent Order 03-15-HW
	<u>Order Date:</u>	May 21, 2003
	<u>Responsible Party:</u>	<b>Soliant</b>
	<u>Location/Mailing Address:</u>	P. O. Box 800 Lancaster, SC 29721
	<u>County:</u>	Lancaster
	<u>Previous Orders:</u>	None

Permit Number: SCD 000 608 331  
Violations Cited: South Carolina Hazardous Waste Management Act §44-56-130(2) and South Carolina Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.265.173(a)

Summary: Soliant (Respondent) manufactures coatings, laminating and film products for a variety of industries. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to close all containers holding hazardous waste except when necessary to add or remove waste.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are kept closed, except when necessary to add or remove waste; within one hundred eighty (180) days of the execution date of the Order, ensure that all hazardous waste storage areas are designed and operated in accordance with R.61-79.265.175; and pay a civil penalty in the amount of five thousand, seven hundred dollars **(\$5,700.00)**. The civil penalty will be paid in one payment.

4) Order Type and Number: Consent Order 03-16-HW  
Order Date: May 19, 2003  
Responsible Party: **Metropolitan Environmental, Inc.**  
Location/Mailing Address: 7174 Fort Amanda Road  
Lima, OH 45806  
County: Sumter  
Previous Orders: 02-04-HW  
Permit Number: INT 190 010 397  
Violations Cited: South Carolina Hazardous Waste Management Act §44-56-130 (2002) and South Carolina Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.263.12, R.61-79.20(c), R.61-79.263.21, R.61-79.263.23

Summary: Metropolitan Environmental, Inc. (Respondent) is a hazardous waste transporter headquartered in Celina, Ohio, with a transfer facility located in Sumter County, South Carolina. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to store hazardous waste for no more than ten (10) days; failure to ensure that a manifest accompanies shipments of hazardous waste; failure to deliver the entire quantity of hazardous waste accepted from the generator to the designated facility; and failure to ensure that hazardous waste is not removed from the transport vehicle for storage without receiving a permit from the Department.

Action: The Respondent has agreed to: ensure that the hazardous waste stored at the Old Blue Ridge Trucking site is properly disposed; provide the Department with written notification of the final disposition of eleven (11) drums

of hazardous waste that were once unaccounted-for; and pay a civil penalty in the amount of fifty thousand dollars **(\$50,000.00)**.

### **Solid Waste Enforcement**

- 5)     Order Type and Number:                     Consent Order 03-13-SW  
          Order Date:                                 May 2, 2003  
          Responsible Party:                     **Hughes & Sons, Inc.**  
          Location/Mailing Address:             1015 Rodney St.  
   Orangeburg, SC 29115  
          County:                                     Orangeburg  
          Previous Order(s):                     None  
          Permit Number:                     None  
          Violation(s) Cited:                     South Carolina Solid Waste Policy  
   and Management Act of 1991, (2002), 25A S.C. Code Ann. Reg. 61-  
   107.11, Part IV, A.8. and B.1. (Supp. 2002).

Summary:     Hughes & Sons, Inc. (Company) unlawfully disposed of construction and demolition (C&D) debris and land-clearing debris (LCD) at property owned by Ms. Carrie Blackwell (Ms. Blackwell) (Site #1), without Ms. Blackwell's consent, and at property owned by Mr. Jesse Kinard (Mr. Kinard) (Site #2), with Mr. Kinard's consent, in Orangeburg, South Carolina. The Company later removed the C&D and the LCD from Site #1 and disposed of it at Site #2, where Mr. Kinard's contractor subsequently burned it. This unlawful disposal constitutes a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action:         Consent Order 03-13-SW was executed requiring the respondent to remove and legally dispose of all unauthorized wastes and debris placed on Site #1, and to remediate the Site. The Department assessed a civil penalty of \$7,875.00, but suspended the penalty due to the Company's financial circumstances. Mr. Hughes has remediated Site #1 to the Department's satisfaction.

- 6)     Order Type and Number:                     Consent Order 03-16-SW  
          Order Date:                                 May 6, 2003  
          Responsible Party:                     **Highway 378 Land-Clearing  
Debris and Yard Trash Landfill**  
          Location/Mailing Address:             1848 Old Orangeburg Road  
   Lexington, SC 29072  
          County:                                     Lexington  
          Previous Orders:                     None  
          Permit Number:                     322456-1702  
          Violations Cited:                     South Carolina Solid Waste Policy  
   and Management Act of 1991, the Construction, Demolition and Land-

Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, B.1. (Supp. 2002, and Registration # 322456-1702).

Summary: The Highway 378 Land-Clearing Debris and Yard Trash Landfill (Landfill) exceeded the annual tonnage limit of 25,000 tons, as established in the permit. This is a violation of Permit # 322456-1702 and the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action: The Order requires the Landfill to ensure that the permitted annual disposal tonnage limit will not be exceeded in the future and to pay to the Department a civil penalty in the amount of one thousand, eight hundred dollars (\$1,800.00) within thirty days of the Landfill's receipt of a copy of the executed Order.

7) <u>Order Type and Number:</u>	Consent Order 03-19-SW
<u>Order Date:</u>	May 20, 2003
<u>Responsible Party:</u>	<b>CBS/Contractors Bin Service, Inc.</b>
<u>Location/Mailing Address:</u>	Corner Old Two Notch Rd & Two Notch Rd/648 Grover Wilson Rd, Blythewood, SC 29016
<u>County:</u>	Richland
<u>Previous Orders:</u>	N/A
<u>Permit Number:</u>	N/A
<u>Violations Cited:</u>	Construction, Demolition and Land Clearing Debris Landfills, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, (A)(8) (Supp. 2002)

Summary: CBS/Contractors Bin Service, Inc., a business that is now closed due to bankruptcy, provided disposal bins for contractors to use for site clean up. CBS unlawfully disposed of land-clearing debris (LCD) on the site it was leasing for the storage of equipment and bins.

Action: The Consent Order requires CBS to immediately cease all unpermitted disposal activities and restrict access to the Site, remove and properly dispose of all LCD on the Site and forward all disposal receipts/invoices to the Department verifying that all wastes have been properly disposed of, perform any soil covering, backfilling, grading, and/or seeding necessary to restore the Site, and pay to the Department a civil penalty in the amount of two thousand, one hundred dollars (\$2,100.00) for the violations cited. The penalty is to be paid in four (4) equal installments of five hundred twenty-five dollars (\$525.00) each and are to be paid quarterly beginning three (3) months from receipt of a copy of this fully executed order.

8)     Order Type and No.:                     Administrative Order 02-39-SW  
       Order Date:                         January 7, 2003  
       Responsible Party:                 **Grind-All SE, LLC.**  
   Bluffton Road Mulching Site  
   Shanklin Road Mulching Site  
  
       Location/Mailing Address:         PO Box 1684  
   Bluffton, SC 29910  
       County:                             Beaufort  
       Previous Order(s):                 None  
       Permit Number(s):                 072700-3001-Bluffton  
   072700-3002-Shanklin  
  
       Violation(s) Cited:     Bluffton: South Carolina Solid Waste Policy and  
   Management Act of 1991 (2002), the Yard Trash and Land-Clearing  
   Debris; and Compost Regulation, 25A S.C. Code Ann. Reg. 61-  
   107.4.E.3.c., Reg. 61-107.4.F.11.c., Reg. 61-107.4.G.1. (Supp. 2001).  
   Shanklin: South Carolina Solid Waste Policy and Management Act of  
   1991 (2002), the Yard Trash and Land-Clearing Debris; and Compost  
   Regulation, 25A S.C. Code Ann. Reg. 61-107.4.G.1. (Supp. 2001).

Summary:     On October 18, 2000, the Department registered the  
Bluffton Road Mulching Site (Site I) as a composting site and, on November 3,  
2000, the Department registered the Shanklin Road Mulching Site (Site II). In  
early October 2000, the Department approved cost estimates submitted by Grind-  
All SE, LLC (Grind-All) as sufficient for closure requirements and directed  
Grind-All to arrange for a financial assurance mechanism for Site I and II. Grind-  
All SE, LLC (Grind-All) is a composting site that failed to insure financial  
assurance coverage to the Department for Site I and Site II. Grind-All also failed  
to provide fire lanes and buffers at Site I. These failures constitute violations of  
the Yard Trash and Land-Clearing Debris; and Compost Regulation.

Action:         Administrative Order 02-39-SW was executed requiring  
Grind-All to submit a written notice of intent to close including a final closure  
date for Site I and Site II within fifteen (15) days of the effective date of the  
executed Administrative Order, and requiring closure as directed by the  
Department through the EQC Low Country District Office and in accordance with  
Closure and Post-Closure Procedures of the Regulation. Administrative Order  
02-39-SW also requires Grind-All to pay to the Department a civil penalty in the  
amount of eleven thousand, four hundred forty dollars (**\$11,440.00**) for violations  
pertaining to Site I and a civil penalty in the amount of three thousand, three  
hundred dollars (**\$3,300.00**) for violations pertaining to Site II to be paid by  
Grind-All no later than thirty (30) days from the effective date of the executed  
Administrative Order. Grind-All did not appeal the Order during the allotted  
appeal period.

**Multi-Media Action**  
**Bureau of Land and Waste Management**  
**Solid Waste and Hazardous Waste Enforcement**

- 9) Order Type and Number: Consent Order 03-15-SW/HW  
Consent Order 03-10-HW/SW  
Order Date: May 1, 2003  
Responsible Party: **Eagle Disposal Incorporated**  
Location/Mailing Address: P. O. Box 704  
Walterboro, SC 29488  
County: Colleton  
Previous Orders: None  
Permit Number: 152630-2001  
Violations Cited: South Carolina Solid Waste Policy  
and Management Act of 1991, S.C. Code Ann. §§ 44-96-260, 44-96-440,  
and 44-96-450 (2002); the Solid Waste Processing Facilities Regulation,  
25A S.C. Code Ann. Reg. 61-107.6 (Supp.2002); Permit No. 152630-  
2001; the South Carolina Hazardous Waste Management Act, S.C. Code  
Ann. §§ 44-56-50, 44-56-130, and 44-56-140 (2002); and the South  
Carolina Hazardous Waste Management Regulations, 25 S.C. Code Ann.  
Reg. 61-79.270 (Supp. 2002).

**Summary:** Eagle Disposal, Incorporated (Respondent) is a solid waste processor. The Department issued the Respondent a Solid Waste Processing Facility Permit (Permit # 152630-2001) on January 12, 1998. The Respondent violated its permit by accepting hazardous waste for processing due to inadequate waste screening procedures.

Action: The Respondent has agreed to submit a revised waste control plan within 90-days of receipt of this Order and has agreed to implement the revised plan upon approval. The Department has suspended the \$32,500.00 civil penalty based upon financial hardship, provided the Respondent complies with the requirements of the Order.

**BUREAU OF WATER**

## Water Pollution Enforcement

- |     |                            |   |
|-----|----------------------------|---|
| 10) | <u>Order Type and No.:</u> | CO 03-056-W                             |
|     | <u>Order Date:</u>         | May 1, 2003                             |
|     | <u>Responsible Party:</u>  | <b>Robertson Gilchrist</b>              |
|     | <u>Facility:</u>           | Gilchrist Subdivision Wastewater Lagoon |

Location/Mailing Address: PO Box 170  
Plum Branch, SC 29845  
County: McCormick  
Previous Orders: None  
Permit/System Number: None  
Violations Cited: S.C. Code Ann. § 48-1-110(d)  
24 S.C. Code Ann. Regs. 61-9.122.41(a) and 61-9.122.41 (j)(3)

Summary: Mr. Robertson Gilchrist (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater lagoon. The Respondent operated the wastewater lagoon without a permit.

Action: The Respondent has agreed to: (1) operate and maintain the Wastewater Treatment Facility (WWTF) in accordance with applicable State and Federal regulations; (2) by May 30, 2003, submit an administratively complete application for a "no discharge permit" along with a schedule of implementation; (3) within thirty (30) days of the Order date, submit a summary report of corrective actions taken to ensure that no storm water enters the lagoon and no discharge occurs from the lagoon; and, (4) within thirty (30) days of the issuance of the permit, submit a copy of a corrective action plan (CAP) detailing measures necessary to comply with conditions of the permit.

11) Order Type and No.: CO 03-057-W  
Order Date: May 7, 2003  
Responsible Party: **Carolina Upstate Properties, LLC**  
Facility: Hampton Ridge Subdivision  
Location/Mailing Address: #2 Tandem Trail  
Landrum, SC 29356  
County: Greenville  
Previous Order(s): None  
Permit/System Number: SCR102648  
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-68(E)(5)(d) S.C. Code Ann. § 48-1-90(a) 24 S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Carolina Upstate Properties, LLC (Respondent) owns and is responsible for the development and construction activities in the Hampton Ridge Subdivision (Site). The Respondent discharged sedimentation into waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within sixty (60) days of the Order date, submit a report, completed by a State registered professional engineer, certifying that all storm water controls have been installed; (3) within sixty (60) days of the Order date, submit a CAP certifying how the increased sedimentation in the discharge pipe will be removed--the CAP



must include a schedule for implementation and upon Department approval, will become an enforceable part of this Order; and, (4) within thirty (30) days of the Order date, pay a civil penalty of eight thousand four hundred dollars **(\$8,400.00)**.

- 12)    Order Type and No.:                      CO 03-061-W  
      Order Date:                                May 5, 2003  
      Responsible Party:                    **Lancaster County School District**  
      Facility:                                    Buford High School WWTF  
      Location/Mailing Address:           PO Box 130  
    Lancaster, SC 29721  
      County:                                    Lancaster  
      Previous Order(s):                      CO 01-198-W (\$8,400.00)  
      Permit/System Number:              SC0030210  
      Violation(s) Cited:                    24 S.C. Code Ann. Regs. 61-9  
    122.41(e)S.C. Code Ann. § 48-1-110(d) S.C. Code Ann. § 48-1-90(a)

Summary: Lancaster County School District (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent discharged wastewater into the environment, including waters of the State, and failed to properly operate and maintain the WWTF.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) by July 15, 2003, complete construction of the upgrade and request a Final Approval to Operate; and, (3) within thirty (30) days of the Order date, pay a civil penalty of twenty-two thousand dollars **(\$22,000.00)**.

- 13)    Order Type and No.:                      CO 03-062-W  
      Order Date:                                May 7, 2003  
      Responsible Party:                    **Town of Allendale**  
      Facility:                                    Allendale WWTF  
      Location/Mailing Address:           PO Box 551  
    Allendale, SC 29810  
      County:                                    Allendale  
      Previous Order(s):                      CO 00-197-W, (\$10,000)  
    CO 00-197-W AMD  
      Permit/System Number:              SC0039918  
      Violation(s) Cited:                    S.C. Code Ann. § 48-1-110 (d)  
    24 S.C. Code Ann. Regs. 61-9.122.41(l)(4) and 61-9.403.8

Summary: The Town of Allendale (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to specifically sample for carbonaceous biochemical oxygen demand and failed to properly implement a Department approved pretreatment program.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of two thousand dollar **(\$2,000.00)**.

14) Order Type and No.: CO 03-064-W  
Order Date: May 8, 2003  
Responsible Party: **Aiken County Public Schools**  
Facility: Silverbluff High School WWTF  
Location/Mailing Address: 1000 Brookhaven Drive  
Aiken, SC 29803  
County: Aiken  
Previous Order(s): CO 99-043-W (\$7,000)  
Permit/System Number: ND0014010  
Violation(s) Cited: S.C. Code Ann. § 48-1-110 (d) and  
(l) (4) 24 S.C. Code Ann. Regs. 61-9.505.23(3)(c) and 61-9.505.41

Summary: Aiken County Public Schools (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for fecal coliform, biochemical oxygen demand (BOD), and total suspended solids (TSS), and failed to submit properly completed discharge monitoring reports.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations; (2) within sixty (60) days of the Order date, submit a Preliminary Engineering Report (PER) with a schedule, for upgrade of the WWTF to achieve compliance; and, (3) pay a civil penalty of four thousand two hundred dollar **(\$4,200.00)**.

15) Order Type and No.: CO 03-065-W  
Order Date: May 19, 2003  
Responsible Party: **South Carolina Department of Natural Resources**  
Facility: Hope Ferry Landing  
Location/Mailing Address: SCDNR  
PO Box 167  
1000 Assembly Street  
Columbia, SC 29202  
County: Lexington  
Previous Order(s): None  
Permit/System Number: 401 Water Quality Certification and Navigable Waters Permit (P/N 2001-1L-482)  
Violation(s) Cited: 25 S.C. Code Ann. Regs. 61-68(E)(5) (d) S.C. Code Ann. § 48-1-90(a) (1987)

Summary: The South Carolina Department of Natural Resources

(Respondent) is responsible for boat landing renovations at the Hope Ferry Landing (Site). The Respondent allowed unauthorized discharges of sediment into waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of five thousand one hundred dollars **(\$5,100.00)**.

16)	<u>Order Type and No.:</u>	CO 03-066-W
	<u>Order Date:</u>	May 28, 2003
	<u>Responsible Party:</u>	<b>Chuck McWhorter</b>
	<u>Facility:</u>	Logans Roadhouse Restaurant
	<u>Location/Mailing Address:</u>	Chuck McWhorter C. Mac, Inc. 4249 Sea Mountain Hwy. Little River, SC 29566
	<u>County:</u>	Anderson
	<u>Previous Order(s)</u>	None
	<u>Permit/System Number:</u>	04-02-08-03
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)

Summary. Chuck McWhorter (Respondent) owns and is responsible for development and construction at the Logans Roadhouse Restaurant (Site). The Respondent discharged inorganic matter into the environment.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; and (2) within thirty (30) days of the Order date, pay a civil penalty of five thousand six hundred dollars **(\$5,600.00)**.

17)	<u>Order Type and No.:</u>	CO 03-071-W
	<u>Order Date:</u>	May 22, 2003
	<u>Responsible Party:</u>	<b>Showa Denko Carbon, Inc.</b>
	<u>Facility:</u>	Same
	<u>Location/Mailing Address:</u>	PO Box 2947201 Ridgeville, SC 29472
	<u>County:</u>	Dorchester
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	SC0038555
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Showa Denko Carbon, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The

Respondent failed to comply with the permitted discharge limits for fecal coliform, BOD, and pH.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations, (2) sample for fecal coliform at the proposed internal outfall and at the permitted sample location until re-issuance of the NPDES Permit; (3) report the results from the proposed internal outfall in the comments section of the discharge monitoring reports; and, (4) if a violation of the permitted discharge limits for fecal coliform occurs at the NPDES sampling location, carry the membrane filter test through confirmation to determine if the source of the violation is *E. coli* bacteria.

18) Order Type and No.: CO 03-072-W  
Order Date: May 22, 2003  
Responsible Party: **Greenville Water System**  
Facility: Adkins Filter Plant Expansion  
Location/Mailing Address: McCall Environmental  
241 N. Main Street, Suite A  
Greenville, SC 29603-0005  
County: Pickens  
Previous Order(s): None  
Permit/System Number: SCR105416  
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a) S.C. Code Ann. § 48-1-90(a)

Summary: Greenville Water System (Respondent) owns and is responsible for land disturbing activities at the Adkins Filter Plant expansion project (Site). The Respondent failed to comply with all permit conditions and discharged inorganic matter into waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of nine thousand eight hundred dollars (**\$9,800.00**).

19) Order Type and No.: CO 03-073-W  
Order Date: May 22, 2003  
Responsible Party: **CCX Fiberglass Products, Inc.**  
Facility: Walterboro WWTF  
Location/Mailing Address: PO Box 1148  
Walterboro, SC 29488  
County: Colleton  
Previous Orders: None  
Permit/System Number: SC002135  
Violations Cited: S.C. Code Ann. § 48-1-110(d)  
24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) and 61-9.122.41(a)

Summary: CCX Fiberglass Products, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to apply for renewal of the facility's NPDES permit within one hundred eighty (180) days prior to its current permit expiration, and violated the permitted discharge limits for surfactants and toxaphene.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the Order date, submit two (2) copies of standard operating procedures (SOPs) detailing best management practices (BMPs) that will prevent effluent violations in the future and a summary of corrective actions that have already been taken prior to the execution of this Order; (3) within sixty (60) days of the Order date, submit three (3) copies of plans and specifications and an administratively complete application for a permit to construct for facilities necessary to eliminate the discharge to the regional sewer provider; and, (4) within thirty (30) days of the Order date, pay a civil penalty of four thousand dollars **(\$4,000.00)**.

20)	<u>Order Type and No.:</u>	CO 03-074-W
	<u>Order Date:</u>	May 22, 2003
	<u>Responsible Party:</u>	<b>David Lamar Johnson</b>
	<u>Facility:</u>	Locust Tree Development
	<u>Location/Mailing Address:</u>	1354 Delta Mills Road Pamplico, SC 29583
	<u>County:</u>	Marion
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	ND0080721
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-9.505.41(e) and 61-9.505.41(a)(2) S.C. Code Ann. § 48-1-110(d)

Summary: David Lamar Johnson (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent exceeded the permitted discharge limits for copper and total suspended solids.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the Order date, submit a copy of a contract with a certified operator of Grade B or higher; (3) immediately perform all required monitoring; (4) submit discharge monitoring reports (DMRs) as required; and, (5) within thirty (30) days of the Order date, submit a CAP detailing measures to be taken to achieve compliance with the permit conditions.

### **Drinking Water Enforcement**

21)    Order Type and No.:                      CO 03-058-DW  
      Order Date:                                May 1, 2003  
      Responsible Party:                      **Town of Pageland**  
      Facility:                                    Pageland PWS  
      Location/Mailing Address:            126 N. Pearl Street  
    Pageland, SC 29728  
  
      County:                                    Chesterfield  
      Previous Order(s):                        None  
      Permit Number:                        1310003  
      Violation(s) Cited:                    S.C. Code Ann. Regs 61-58.7 (Supp.  
      2002)

Summary: The Town of Pageland is responsible for the proper operation and maintenance of the public water system (PWS) that serves its town. The Respondent failed to properly operate and maintain its PWS.

Action: The Respondent has agreed to: (1) comply with all applicable State and Federal laws and regulations; (2) within thirty (30) days of the Order date, submit a preliminary engineering report (PER) which addresses the remediation of the operation and maintenance violations for Department review and approval; (3) within ninety (90) days of the Order date, submit a business plan for Department review and approval; and, (4) within thirty (30) days of the Order date, pay a civil penalty of four thousand dollars (**\$4,000.00**).

22)    Order Type and No.:                      CO 03-059-DW  
      Order Date:                                May 8, 2003  
      Responsible Party:                      **Briarcreek Association, Inc.**  
      Facility:                                    Briarcreek Condos-Pool # 23-123-B  
      Location/Mailing Address:            Nancy Gould  
    William Goldsmith Company  
    Association Property Management  
    PO Box 1827  
    Greenville, SC 29602  
  
      County:                                    Greenville  
      Previous Orders:                        None  
      Permit Number:                        Public Swimming Pool Permit # 23-  
      123-B  
      Violations Cited:                        24A S.C. Code Ann. Regs. 61-51(J)  
      (Supp. 2002)

Summary: Briarcreek Association, Inc. (Respondent) owns the public swimming pool located at Briarcreek Condos in Greenville County, South Carolina. On May 22, 2002, June 5, 2002 June 17, 2002 and June 20, 2002

Department staff conducted inspections at the Respondent's pool. The pool was not being properly maintained, and the Department closed the pool following each inspection.

**Action:** The Respondent has agreed to: (1) properly operate and maintain its public swimming pool; (2) prior to the 2003 calendar year pool season, schedule a pre-season inspection; and, (3) within thirty (30) days of the order date, pay a civil penalty of one thousand six hundred eighty dollars (**\$1,680.00**).

23)	<u>Order Type and No.:</u>	CO 03-060-DW
	<u>Order Date:</u>	May 7, 2003
	<u>Responsible Party:</u>	<b>Town of West Union</b>
	<u>Facility:</u>	West Union PWS
	<u>Location/Mailing Address:</u>	PO Box 129 West Union, SC 29696
	<u>County:</u>	Oconee
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	3710005
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61 58.7(B)(1) S.C. Code Ann. § 44-55-40(D) & (M)

Summary: The Town of West Union (Respondent) owns and is responsible for the proper operation and maintenance (O&M) of its PWS. The Respondent's PWS has received consecutive "Unsatisfactory" sanitary survey ratings.

Action: The Respondent has agreed to: (1) immediately comply with all pertinent State and Federal laws and regulations pertaining to the operation of a PWS; (2) ensure that the Fire Department properly documents fire flow tests; (3) inform the Department of its distribution system operator's certification examination result (pass or fail) within five (5) days of receipt of the results; (4) ensure its PWS is operated by a Class "C" distribution system operator; (5) within thirty (30) days of the Order date, pay a civil penalty of one thousand four hundred dollars (**\$1,400.00**); and, (6) within ninety (90) days of the Order date, submit a Business Plan for Department approval.

24)	<u>Order Type and No.:</u>	CO 03-069-DW
	<u>Order Date:</u>	May 22, 2003
	<u>Responsible Party:</u>	<b>Jea Jung d/b/a New Life Fitness World</b>
	<u>Facility:</u>	New Life Fitness World Public Swimming Pool # 40-291-B Public Spa No. 40-292-D
	<u>Location/Mailing Address:</u>	New Life Fitness World 110 New Life Fitness World Drive Columbia, SC 29229

<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	Public Swimming Pool # 40-291-B Public Spa No. 40-292-D
<u>Violations Cited:</u> (Supp. 2002)	24A S.C. Code Ann. Regs. 61-51(J)

Summary: Jea Jung d/b/a New Life Fitness World (Respondent) owns a public swimming pool (40-291-B) and a public spa (40-292-D). The Respondent has failed to properly operate and maintain the pool and spa. The Department closed the pool and spa following each inspection.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool and spa; (2) prior to the 2003 calendar year pool season schedule a pre-season inspection of the public swimming pool and spa; and, (3) within thirty (30) days of the Order date, pay a civil penalty of three thousand three hundred sixty dollars **(\$3,360.00)**.

25) <u>Order Type and No.:</u>	CO 03-070-DW
<u>Order Date:</u>	May 22, 2003
<u>Responsible Party:</u>	<b>Town of Chesterfield</b>
<u>Facility:</u>	Chesterfield PWS
<u>Location/Mailing Address:</u>	Mayor John Douglas PO Box 350 Chesterfield, SC 29709
<u>County:</u>	Chesterfield
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	Water System No. 1310002
<u>Violations Cited:</u> (Supp. 2002)	24A S.C. Code Ann. Regs. 61-58.7

Summary: The Respondent failed to properly operate and maintain its PWS. The Respondent received a “needs improvement” for O&M deficiencies on its Sanitary Surveys in 2000 and 2001 and an “unsatisfactory” for O&M deficiencies in 2002.

Action: The Respondent has agreed to: (1) by June 15, 2003, revise its Sample Site Plan; develop written procedures for the valve maintenance program; and pay a civil penalty of four thousand dollars **(\$4,000.00)**; (2) by July 1, 2003, submit a Source Water Maintenance and a Drought Response Plan; return the online turbidimeters and the computer monitoring system to good working condition; and install a backflow preventer; (3) by August 15, 2003, submit a PER; install a chlorine leak detection and alarm system, and re-test all fire hydrants; (4) by November 15, 2003, locate all known valves and assign them a number, provide an adequate number of operators, and develop an up-to-date



Summary: Champion Laboratories, Inc. (“Champion”), manufactures oil filters used in the automotive industry. Champion failed to comply with the requirements of its Title V permit in that it did not submit an accurate and timely

Title V Annual Compliance Certification for the reporting periods ending December 21, 2001, and December 21, 2002, and the required semiannual visual inspection reports for the reporting periods ending July 21, 2001, December 21, 2001, July 21, 2002, and December 21, 2002. On September 17, 2002, Champion submitted a request for a permitting exemption for modifications to its Oil Line 740. On September 26, 2002, the Department denied the exemption request and requested that Champion submit a construction permit application. On November 25, 2002, Department personnel conducted an inspection and determined that Champion had commenced modifications to Oil Line 740. The Department issued the Construction Permit on April 21, 2003.

Action: On February 28, 2003, the Department issued Champion a Notice of Violation and a Notice of Enforcement Conference and an enforcement conference was held on March 24, 2003. On April 4, 2003, Champion submitted the missing reports as requested during the enforcement conference. A Consent Order was negotiated in which the facility agreed to comply with the reporting requirements of its Title V Operating Permit, to ensure that it applies for and obtains all necessary permits prior to the construction, removal or alteration of any source of air pollution, and to pay to the Department a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**). The penalty is due June 4, 2003.

28) <u>Order Type and No.:</u>	Consent Order 03-026-A
<u>Order Date:</u>	May 1, 2003
<u>Responsible Party:</u>	<b>International Mill Service</b>
<u>Location/Mailing Address:</u>	1155 Business Center Drive Horsham, PA 19044-3454
<u>County:</u>	Georgetown
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	1140-0041
<u>Violation(s) Cited:</u>	S.C. Code Ann. 48-1-90(a)

Summary: International Mill Service (IMS) operates a 170,000-ton per year slag-handling operation at the steel-wire-production facility owned and operated by Georgetown Steel Company LLC. IMS operates pursuant to Operating Permit 1140-0041, effective April 30, 1997. The permit requires, *inter alia*, that visible emissions from slag storage piles must not exceed an average of 10% opacity for any two consecutive readings in a series of such readings taken at 15-second intervals. On February 1, September 27, and November 8, 2002, the Department conducted inspections at IMS and observed visible emissions from the slag piles. The inspectors conducted visible emissions observations and determined the average opacities for the two highest consecutive 15-second intervals to be 20%, 60%, and 100%, respectively.

Action: On November 4, 2002, the Department issued IMS a Notice of Violation and Notice of Enforcement Conference for the violations

29)	<u>Order Type and No.:</u>	Consent Order 03-028-A
	<u>Order Date:</u>	May 5, 2003
	<u>Responsible Party:</u>	<b>Duke Energy Corporation – Lee Steam Station</b>
	<u>Location/Mailing Address:</u>	Post Office Box 366 Pelzer, South Carolina 29669
	<u>County:</u>	Anderson
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	0200-0004
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control
	Regulation 61-62.5, Standard No. 1, <u>Emissions From Fuel Burning</u>	
	<u>Operations and §48-1-90(a)</u>	

Action: On January 13, 2003, the Department issued Duke Energy a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on January 28, 2003. A Consent Order was negotiated in which Duke Energy agreed to: comply with all PM emission limits established in its Title V permit; submit to the Department an operation and maintenance plan to ensure compliance with its permitted PM emissions limit from the Unit #3 boiler; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty has been paid.

30) Order Type and No.: Consent Order 03-030-A  
Order Date: May 22, 2003  
Responsible Party: **Inchem Corporation**  
Location/Mailing Address: 800 Cel-River Road  
 Rock Hill, South Carolina 29730  
County: York County

Previous Order(s): None  
Permit No.: 2440-0062  
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, South Carolina Air Pollution Control Regulation 61-62.1, Section III, Emissions Inventory, and S.C. Code Ann. § 48-1-110(d).

Summary: Inchem Corporation ("Inchem") manufactures specialty polymer resins at its Rock Hill facility. Inchem failed to comply with the requirements of its Title V permit in that it failed to submit: its Title V Annual Compliance Certification for the reporting period ending March 9, 2002; operational ranges for its pollution control equipment within 180 days of permit issuance; the required quarterly reports for the reporting periods ending March 31, 2001, June 30, 2001, September 30, 2001, December 31, 2001, March 31, 2002, June 30, 2002, and September 30, 2002; and the required semiannual reports for the reporting periods ending September 9, 2001, March 9, 2002, and September 9, 2002. In addition Inchem failed to submit its 2001 Emissions Inventory, due April 18, 2002.

Action: On October 29, 2002, the Department issued Inchem a Notice of Violation and a Notice of Enforcement Conference and an enforcement conference was held on November 18, 2002. A Consent Order was negotiated in which the facility agreed to comply with the reporting requirements of its Title V permit by submitting the missing periodic reports, to ensure that it submits the required Emissions Inventory no later than March 31 every even calendar year, and to pay a civil penalty in the amount of eighteen thousand dollars **(\$18,000.00)**. The penalty will be paid in six monthly installments of \$3,000.00. The first payment has been paid.

31) Order Type and No.: Consent Order 03-031-A  
Order Date: May 7, 2003  
Responsible Party: **Georgetown Steel Company LLC**  
Location/Mailing Address: Post Office Box 619  
Georgetown, South Carolina 29440  
County: Georgetown  
Previous Order(s): None  
Permit No.: 1140-0004  
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.5, Standard 4, Section VII - Metal Refining

Summary: Georgetown Steel Company LLC is a steel wire production facility and operates pursuant to Part 70 (Title V) Air Quality Operating Permit TV-1140-0004, effective August 1, 2001. South Carolina Air Pollution Control Regulation 61-62.5, Standard 4, and a condition of the Title V Permit limit Georgetown Steel Company LLC's visible emissions from its melt shop to a

maximum of 20% opacity. On July 2, 2002, Department personnel conducted an inspection at Georgetown Steel Company LLC and observed visible emissions from the melt shop at a point located near the roof. The inspector conducted a U.S. Environmental Protection Agency Method 9 visible emissions observation and determined the average opacity for the highest six-minute period to be 55%.

Action: On November 4, 2002, the Department issued Georgetown Steel Company LLC a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on December 17, 2002. A Consent Order was negotiated in which Georgetown Steel Company LLC agreed to ensure that it does not exceed opacity limits established by its permit and regulation, and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

32)	<u>Order Type and No.:</u>	Consent Order 03-032-A
	<u>Order Date:</u>	May 5, 2003
	<u>Responsible Party:</u>	<b>Collum's Lumber Mill, Inc.</b>
	<u>Location/Mailing Address:</u>	106 Barnwell Road Allendale, South Carolina 29810
	<u>County:</u>	Allendale
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	TV 0160-0004
	<u>Violation(s) Cited:</u>	U.S. EPA 40 CFR 60.48c(g), and S.C. Code Ann. §48-1-110(d)

Summary: Collum's Lumber Mill is a finished-lumber sawmill. Construction Permit 0160-0004-CE, issued January 3, 1995, for a soldering operation, required the facility to maintain records of the number of saw blade guides manufactured per month. Construction Permits 0160-0004-CG and -CH, issued February 24, 1995, for cyclone air pollution control devices (APCD), required the facility to maintain records of maintenance events. Construction Permit 0160-0004-CJ, issued December 17, 1997, for a woodwaste boiler, required the facility to maintain records of fuel consumption. Construction Permit 0160-0004-CA-R1, issued August 17, 1999, for an increase in fuel usage in the woodwaste boiler, required the facility to develop an operation and maintenance plan for the boiler's cyclone APCD. While preparing Construction Permit 0160-0004-CA-R1, the Department discovered the facility was operating three lumber drying kilns that were not permitted. The kilns were installed in 1988-1990. Construction Permits 0160-0004-CM and CN, issued September 15 and November 9, 2000, for the kilns, required the facility to keep records of VOC emissions. On September 26, 2001, a Department inspector determined that the facility failed to prepare an O&M plan for the boiler's cyclone APCD and failed to maintain records of saw blade guides manufactured, cyclone APCD maintenance, fuel consumption, and VOC emissions.

Action: On August 30, 2001, the Department issued Collum's Lumber Mill a Notice of Violation and a Notice of Enforcement Conference, and

an enforcement conference was held on September 20, 2001. A Consent Order was negotiated in which Collum's Lumber Mill agreed to pay a civil penalty in the amount of eight thousand five hundred dollars (**\$8,500.00**). The penalty is due June 4, 2003.

33)    Order Type and No.:                      Consent Order 03-033-A  
      Order Date:                                May 20, 2003  
      Responsible Party:                     **Darlington Veneer Company, Inc.**  
      Location/Mailing Address:           225 Fourth Street  
    Darlington, South Carolina 29532  
      County:                                    Darlington  
      Previous Order(s):                      00-121-A (\$5,000.00)  
      Permit No.:                                0820-0011  
      Violation(s) Cited:                    S.C. Code Ann. §48-1-90(a); S.C.  
    Code Ann. §48-1-110(d); and Consent Order 00-121-A

Summary:     Darlington Veneer Company, Inc. ("Darlington Veneer"), located in Darlington, South Carolina, manufactures plywood. The Department issued Conditional Major Operating Permit CM-0820-0011 to Darlington Veneer, effective February 5, 1999. Darlington Veneer failed to notify the Department of the record keeping and reporting frequency for its natural gas boiler, sawing and grinding unit, and cross-grain sander and failed to submit a timely Annual Monitoring Plan Certification for the reporting period ending February 4, 2000. On December 7, 2000, Darlington Veneer entered into Consent Order 00-121-A for exceeding its permitted particulate matter ("PM") emissions limit of 0.6 lbs/mmBTU during a July 27, 1999, source test of its wood waste boiler. The results of a February 2, 2001, re-test indicated that PM emissions were 1.9 lb/mmBTU. The results of a March 14, 2002, source test indicated that PM emissions were 1.37 lb/mmBTU. On August 5, 2002, Darlington Veneer submitted to the Department a proposal to install control devices and re-test the boiler in order to demonstrate compliance with its permitted PM emissions limit. After installing the control devices, Darlington Veneer conducted a Department-approved source test of the boiler on March 28, 2003. The results of the source test indicate that Darlington Veneer achieved compliance with the PM limit of 0.6 lbs/mmBTU.

Action:            On March 5, 2002, the Department issued Darlington Veneer a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 2, 2002. A Consent Order was negotiated in which Darlington Veneer agreed to: comply with all notification and reporting requirements; comply with all PM emissions limits established by its permit and applicable regulations; submit the results of the March 28, 2003, source test to the Department by April 27, 2003; immediately decommission the wood waste boiler and remove it from service if the results of the source test indicated non-compliance with the permitted PM emissions rate of 0.6

34)	<u>Order Type and No.:</u>	Consent Order 03-034-A
	<u>Order Date:</u>	June 20, 2003
	<u>Responsible Party:</u>	<b>Mt. Vernon Mills, Inc.</b>
	<u>Location/Mailing Address:</u>	15 Broad Street Williamston, South Carolina 29697
	<u>County:</u>	Anderson
	<u>Previous Order(s):</u>	02-045-A (\$2,500.00)
	<u>Permit No.:</u>	0200-0045
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-86.1, <u>Standards of Performance for Asbestos Projects</u> , and U.S. Environmental Protection Agency 40 CFR 61.145(a), <u>Standard for Demolition and Renovation</u>

Action: On January 13, 2003, the Department issued Mt. Vernon Mills a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on January 28, 2003. A Consent Order was negotiated in which Mt. Vernon Mills agreed to: ensure that an asbestos survey is conducted prior to commencing renovation at a facility subject to asbestos regulations; ensure that it obtains an asbestos project license from the Department prior to beginning any asbestos project; ensure that each worker and supervisor employed at an abatement project site meets the applicable training and licensing requirements; ensure that a written notification of renovation and/or demolition is submitted to the Department; and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

